

## **REMARKS**

Reconsideration of the rejection of the subject matter of this application is requested.

### **Status of Claims**

Claims 1-29 remain for consideration. Claims 13 and 14 have been indicated as containing allowable subject matter and would be allowed if written in independent form. Claims 13 and 14 have been amended with this paper and are now independent. The addition of two independent claims brings the total of independent claims to 4. Since 3 were paid for on filing the application, a credit card form authorizing payment of \$88. for the (one) excess independent claim is enclosed.

### **The Drawing**

The drawing has been indicated as acceptable.

### **Rejections On Prior Art**

Claims 1-29 stand rejected under U.S.C. 103 as unpatentable over the Sun et al. published patent application in view of the Iivonen et al. published patent application.

### **Argument**

**The Sun et al. published patent application**

The Sun et al. published patent application was filed April 26, 2001. To simplify the prosecution and advance it to a conclusion, the accompanying affidavit under CFR 1.131 is presented to remove the Sun et al. published patent application as an effective reference. The attachments to that declaration, coupled with the inventor's declarations, establish that the claimed invention was made prior to the effective date of the Sun et al. reference, i.e. April 26, 2001.

**The livonen et al. published patent application**

The livonen et al. published patent application was filed November 22, 2002. It claims priority based on a PCT application filed May 29, 2001. To simplify the prosecution and advance it to a conclusion, the accompanying affidavit under CFR 1.131 is presented to remove the livonen et al. published patent application as an effective reference. The attachments to that declaration, coupled with the inventor's declarations, establish that the claimed invention was made prior to the effective date of the livonen et al. reference, i.e. May 29, 2001.

In view of the amendments, the affidavit, and these remarks, reconsideration and allowance of claims 1-29 is requested.

In the event that the Examiner concludes that a telephone call would

advance the prosecution of this application, the Examiner is invited and encouraged to call the undersigned attorney at Area Code 757-258-9018.

Respectfully,



Peter V. D. Wilde  
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Date: NOV 05 2004